

FILED
JAMES S. BROWN
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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WEST DIV. CLEVELAND

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BRENDA K. HURSTON

:

CASE NO. C-1-01-313

Plaintiff

:

Judge Weber; Timothy Black, M.J.

-VS-

BUTLER COUNTY DEPT. OF
JOB AND FAMILY SERVICES

:

Defendants

**MOTION AND MEMORANDUM OF PLAINTIFF BRENDA HURSTON IN
RESPONSE TO DEFENDANT'S MOTION AND MEMORANDUM IN OPPOSITION
FOR AN ORDER COMPELLING DEFENDANT'S PRODUCTION OF DOCUMENTS
AND INVENTORY DISCOVERY.**

Now come Brenda K. Hurston, Plaintiff motion and memorandum in response to the Defendant's motion and memorandum in opposition for an order compelling defendant's production of documents and inventory discovery. This motion is supported by the attached memorandum.

BRENDA K. HURSTON, PLAINTIFF

Brenda K Hurston

Brenda K. Hurston, Plaintiff
1812 Grand Avenue
Middletown, OH 45044
(513) 420-9602

**MEMORANDUM OF PLAINTIFF BRENDA HURSTON IN RESPONSE TO
DEFENDANT'S MOTION AND MEMORANDUM IN OPPOSITION FOR AN ORDER
COMPELLING DEFENDANT'S PRODUCTION OF DOCUMENTS AND INVENTORY
DISCOVERY.**

In support of plaintiff's response, Brenda K. Hurston offers the following:

1. Defendant's counsel information in their response is materially incomplete.
2. See attached October 22, 2004, four-page fax to Jack C. McGowan & Associates, exhibit 4-D.
3. There would be no reason to make a third request for production of documents, if I would have received what I requested previously.

Respectfully submitted,

BRENDA K. HURSTON

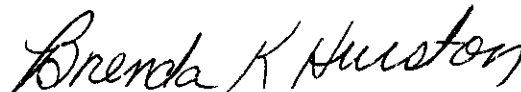


Brenda K. Hurston, Plaintiff, Pro Se
1812 Grand Avenue
Middletown, OH 45044
(513) 420-9692

CERTIFICATE OF SERVICE

I Brenda K. Hurston, hereby certify that a true and correct copy of MOTION AND MEMORANDUM OF PLAINTIFF BRENDA HURSTON IN RESPONSE TO DEFENDANT'S MOTION AND MEMORANDUM IN OPPOSITION FOR AN ORDER COMPELLING DEFENDANT'S PRODUCTION OF DOCUMENTS AND INVENTORY DISCOVERY, has been FAXED and by regular meter mail to Jack C. McGowan, attorney for defendant, Butler County Department of Job and Family Services, 246 High Street, Hamilton, Ohio 45011 the 5th day of November, 2004.

Respectfully submitted,



Brenda K. Hurston, Plaintiff, Pro Se

Plaintiff exhibit

4-D

Brenda K. Hurston
1812 Grand Avenue
Middletown, OH 45044
PH-513-420-9692

October 22, 2004

LETTER BY FAX: REVISED

Jack C. McGowan
Attorneys at Law
246 High Street
Hamilton, OH 45011

Re: Brenda K. Hurston vs. Butler County Job & Family Services

Dear Mr. McGowan:

On Thursday, October 14, 2004, I received from your office a copy of your Dr. Randolph's May 5, 1998 report. In your October 13, 2004 letter you stated that you sent me a complete copy of my personnel file from the Butler County Department of Job and Family Services. You did not send me a complete copy of my personnel file, you only sent me bits and pieces of my personnel file. You sent me duplicate copies of my performance evaluations, job descriptions, and my grievances of 1998, totaling 196 pages. That means I only received 98 pages of the 753 pages of my personnel file that you sent to EEOC.

Additionally, on September 15, 2004, when I was in your office, I verbally requested a copy of the agreement between Butler County Department of Human Services, Butler County, Ohio and the American Federation of State County and Municipal Employees, Ohio Council A Local 3062 AFL-CIO prior to 1990. I did not receive that contract agreement either. What I requested, you did not send me, and therefore, I have enclosed a third request for production of documents

You have not complied with my request for Production of Documents of July 23, and 30, 2004, or October 2, 2004, pursuant to Rule 34, Federal Rules of Civil Procedure.

Thank you, in advance, for your attention, regarding this matter.

Sincerely,

Brenda K Hurston
Brenda K. Hurston

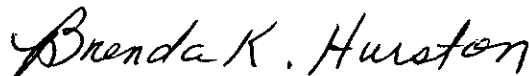
**MEMORANDUM OF PLAINTIFF BRENDA HURSTON IN RESPONSE TO
DEFENDANT'S MOTION AND MEMORANDUM IN OPPOSITION FOR AN ORDER
COMPELLING DEFENDANT'S PRODUCTION OF DOCUMENTS AND INVENTORY
DISCOVERY.**

In support of plaintiff's response, Brenda K. Hurston offers the following:

1. Defendant's counsel information in their response is materially incomplete.
2. See attached October 22, 2004, four-page fax to Jack C. McGowan & Associates, exhibit 4-D.
3. There would be no reason to make a third request for production of documents, if I would have received what I requested previously.

Respectfully submitted,

BRENDA K. HURSTON



Brenda K. Hurston, Plaintiff, Pro Se
1812 Grand Avenue
Middletown, OH 45044
(513) 420-9692

CERTIFICATE OF SERVICE

I Brenda K. Hurston, hereby certify that a true and correct copy of MOTION AND MEMORANDUM OF PLAINTIFF BRENDA HURSTON IN RESPONSE TO DEFENDANT'S MOTION AND MEMORANDUM IN OPPOSITION FOR AN ORDER COMPELLING DEFENDANT'S PRODUCTION OF DOCUMENTS AND INVENTORY DISCOVERY, has been FAXED and by regular meter mail to Jack C. McGowan, attorney for defendant, Butler County Department of Job and Family Services, 246 High Street, Hamilton, Ohio 45011 the 5th day of November, 2004.

Respectfully submitted,



Brenda K. Hurston, Plaintiff, Pro Se

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BRENDA K. HURSTON

:

CASE NO. C-1-01-313

Plaintiff

:

Judge Weber; Timothy S. Black, M.J.

-vs-

**PLAINTIFF, BRENDA HURSTON'S
(THIRD) REQUEST FOR PRODUCTION OF DOCUMENTS, THINGS,
AND BUSINESS RECORDS**

BUTLER COUNTY DEPT. OF
JOB AND FAMILY SERVICES

:

Defendants

:

Plaintiff, Brenda K. Hurston requests defendant, Butler County Department of Job and Family Services, to respond within 30 days of receipt hereof to the following requests pursuant to Rule 34, Federal Rules of Civil Procedure:

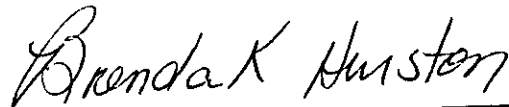
That defendant produces copy of each of the following documents:

1. **Personnel Action Forms from 6-6-88 to 12-30-01.** You already have example #1, dated 3-15-93.
2. **Personnel File Checklist from 6-6-88 to 12-30-01.** You already have example #2, dated 8-3-88.
3. **Personnel Documents that reflects the plaintiff paycheck from 6-6-88 to 12-30-01.** You already have example #3, dated 6-9-00.
4. **Personnel Interview Checklist from 2-88 to 12-88.** You already have example # 4, dated 6-2-88.
5. **Plaintiff's request to personnel for an interview for the Machine Operator 2 job position.** You already have example #5, dated 4-6-88.

6. **Personnel/Betty Proctor's notification to plaintiff indicating that she received the Machine Operator 2 job position. See example # 6, dated 6-3-88.**
7. **Union's Contract Agreements between Butler County Department of Human Services and American Federation of State, County, and Municipal Employees, Ohio Council 8, Local 3062, AFL-CIO, prior to November 30, 1987.**

Please send me what I have requested. Thank you for your attention, regarding this matter.

Sincerely yours,



Brenda K. Hurston, Plaintiff, Pro Se
1812 Grand Avenue
Middletown, OH 45044
1-513-420-9692

CERTIFICATE OF SERVICE

I hereby certify that a copy of PLAINTIFF, BRENDA HURSTON'S (THIRD) REQUEST FOR PRODUCTION OF DOCUMENTS, THINGS, AND BUSINESS RECORDS has been sent by FAX to Jack C. McGowan, Attorney for Defendants, Butler County Department of Job and Family Services, 246 High Street, Hamilton, OH 45011 on the 22nd, day of October, 2004.

Respectfully submitted,



Brenda K. Hurston, Plaintiff, Pro Se
1812 Grand Avenue
Middletown, OH 45044
(513) 420-9602